

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

THOMAS EDWARD HUMPHREY,)
)
Plaintiff,)
) Civil Action
v.) No. 24-10331-PBS
)
DOUGLAS PROSECUTING ATTORNEY,)
)
Defendant.)

ORDER

May 6, 2024

SARIS, D.J.

This action is hereby TRANSFERRED to the United States District Court for the Western District of Missouri pursuant to the 28 U.S.C. §1406(a) (requiring dismissal or, if in the interest of justice, transfer of an action where venue is improper).

On April 10, 2024, this Court ordered Humphrey to show cause why this action should not be transferred due to improper venue. As the Court explained, venue is improper in the District of Massachusetts because the defendant does not reside in Massachusetts, and none of the alleged actions or omissions occurred in the District of Massachusetts. See 28 U.S.C. § 1391(b). The complaint is brought against a county prosecutor in Missouri for actions concerning Humphrey's 2021 arrest in Ava, Missouri.

On April 12, 2024, Humphrey filed a response, stating that he does not oppose the transfer of this case to the Western District of Missouri.

Accordingly, because the action is improperly venued, it may be dismissed or transferred to a federal court with proper venue, here apparently the Western District of Missouri. The Court rules that it is in the interest of justice to transfer the action to the Western District of Missouri because venue appears proper in that district. The Court takes no position as to the merits of the action.

SO ORDERED.

/s/ Patti B. Saris
PATTI B. SARIS
UNITED STATES DISTRICT JUDGE